

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:12-CV-01097-MMD-PAL
)	
\$125,061.89, IN UNITED STATES)	
CURRENCY,)	
)	
Defendant.)	

DEFAULT JUDGMENT OF FORFEITURE

The United States filed a verified Complaint for Forfeiture in Rem on June 26, 2012. Docket

#1. The Complaint (#1) alleges the defendant property:

- a. is involved in violations of 31 U.S.C. § 5313, or a conspiracy to commit such violations, and is subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2);
- b. is property traceable to violations of 31 U.S.C. § 5313, or a conspiracy to commit such violations, and is subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2);
- c. is involved in violations of 31 U.S.C. § 5324, or a conspiracy to commit such violations, and is subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2); and
- d. is property traceable to violations of 31 U.S.C. § 5324, or a conspiracy to

1 commit such violations, and is subject to forfeiture pursuant to 31 U.S.C. §
2 5317(c)(2).

3 It appearing that process was fully issued in this action and returned according to law;

4 On July 12, 2012, the Court entered an Order for Summons and Warrant of Arrest in Rem for
5 the Property and Notice and issued the Summons and Warrant of Arrest in Rem. #4, #4.

6 Pursuant to the Order (#4), the Complaint (#1), the Summons and Warrant of Arrest in Rem
7 for the Property (#4), and the Notice for Complaint of Forfeiture (#5) were served on the defendant
8 property, and the Notice was published according to law. #9. All persons interested in the defendant
9 property were required to file their claims with the Clerk of the Court within 30 days of the publication
10 of the Notice or within 35 days of actual notice of this action, as applicable, followed by the filing of
11 an answer to the Complaint within 21 days after the filing of their respective claims.

12 On July 12, 2012, the Internal Revenue Service served the Complaint, the Order, the
13 Summons and Warrant of Arrest in Rem for the Property, and the Notice by executing them on the
14 defendant property. #5, pages 2, 6-26.

15 On August 6, 2012, the Internal Revenue Service personally served the Complaint, the
16 Summons and Warrant of Arrest in Rem for the Property, the Order, and the Notice on Pedro Lopez
17 by and through Paola M. Armeni, Esq., his counsel at Gordon Silver, 3960 Howard Hughes Parkway,
18 9th Floor, Las Vegas, NV 89169. #5, pages 3-4, 6-26.

19 On August 15, 2012, PEDRO LOPEZ-SANCHEZ, by and through his attorney Paola M.
20 Armeni, Esq., filed a *Motion for Return of Property - Verified Claim*. #6.

21 On August 21, 2012, the United States filed a Settlement Agreement, Stipulation for Entry
22 of Judgment of Forfeiture as to Claimant, and Order, regarding the \$125,061.89 in United States
23 Currency. Claimant waived, among other things, service of process. #7.

24 On August 22, 2012, the Court entered the Order granting the Settlement Agreement,
25 Stipulation for Entry of Judgment of Forfeiture as to Claimant, and Order. #8.

26 Public notice of the forfeiture action and arrest was given to all persons and entities by

1 publication on the official government website www.forfeiture.gov from October 3, 2012, through
2 November 1, 2012. #9.

3 No person or entity has filed a claim, answer, or responsive pleading within the time permitted
4 by 18 U.S.C. § 983(a)(4) and Fed. R. Civ. P. Supp. Rule G(4) and (5).

5 On December 17, 2012, the United States filed a Request for Entry of Default against the
6 defendant property and all persons or entities who claim an interest in the defendant property in the
7 above-entitled action. #10.

8 On December 19, 2012, the Clerk of the Court entered a Default against the defendant
9 property and all persons or entities who claim an interest in the defendant property in the above-
10 entitled action. #11.

11 Pedro Lopez-Sanchez is not in the military service within the purview of the Servicemen's
12 Civil Relief Act of 2003. #10, Exhibit 1.


13 The allegations of the Complaint are sustained by the evidence and are adopted as findings
14 of fact. The Court concludes as a matter of law that the United States is entitled to the relief requested
15 in the Complaint.

16 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
17 Default Judgment of Forfeiture be entered against the defendant property and all persons or entities
18 who claim an interest in the defendant property in the above-entitled action.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said property be, and the
20 same is hereby forfeited to the United States of America, and no right, title, or interest in the property
21 shall exist in any other party.

22 IT IS HEREBY CERTIFIED, pursuant to 28 U.S.C. § 2465(a)(2), that there was reasonable
23 cause for the seizure or arrest of the defendant property.

24 Dated this 11th day of January 2013.

25 
26 MIRANDA M. DU
UNITED STATES DISTRICT JUDGE